GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:6359
ANSWERED ON:07.05.2003
BAN ON SEX DETERMINATION TEST
V. SAROJA

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the National Committee on Empowerment of Women has recommended that women be punished with three years imprisonment and a fine of Rs. 50,000 if they undergo sex determination test;

(b) if so, whether this committee also proposed an amendments to the Pree-Natal Diagnostics Techniques (regulation and prevention of Misus

(e) Act, 2003;

(c) whether the proposed amendments to the Act exclude men from the pre-natal diagnostics procedures; and

(d) if so, the details thereof alongwith the reaction of the Government thereto?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA)

(a) and (b): Yes, Sir. The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 has since been amended. Under the amended provisions of section 23 of the Act, any person who seeks the aid of any clinic, centre or person for sex selection or for conducting pre-natal diagnostic techniques for the purposes other than those permitted under the Act, is punishable with imprisonment upto three years and fine upto fifty thousand rupees for the first offence. For any subsequent offence the punishment would be imprisonment upto five years and fine upto one lakh rupees. The pregnant woman who has been compelled to undergo such test or diagnostic techniques is not liable to these punishments. However, her husband or any other person who compels her to undergo these tests or techniques, is punishable under section 24 of the Act.

(c)&(d): No, Sir. Any person, whether man or woman is covered under the Act.